

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-CR-00242-RJC-DSC

USA

v.

WARREN JOHNSON

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant for compassionate release based on the COVID-19 pandemic under 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act of 2018, (Doc. No. 16), and the government's response in opposition, (Doc. No. 19).

Section 603(b) of the First Step Act amended § 3582(c)(1)(A), which previously only allowed a court to reduce a term of imprisonment on motion of the Director of the Bureau of Prisons (BOP). Now a court may entertain a motion filed by a defendant: (1) after full exhaustion of all administrative rights to appeal a failure of the BOP to bring a motion on the inmate's behalf; or (2) after the lapse of 30 days from the receipt of such a request by the warden of the facility, whichever is earlier.

The defendant was arrested on September 14, 2020, based on a petition alleging he violated the conditions of his supervised release, (Doc. No. 5: Petition; Doc. No. 6: Executed Arrest Warrant), and detained after a hearing, (Doc. No. 13: Order). On November 20, 2020, he admitted the violations and accepted a sanction

of 4 months' imprisonment followed by 12 months' supervised release. (Doc. No. 15: Agreed Order and Judgment). Then, on December 31, 2020, he filed the instant motion seeking compassionate release based on COVID-19 at the local jail where he was serving his sentence. (Doc. No. 16: Motion at 1-2). The defendant was released from custody on or about January 11, 2021. (Doc. No. 19-1). The government rightly notes the motion is now moot. (Doc. No. 19: Response at 1).

**IT IS, THEREFORE, ORDERED** that the defendant's motion for compassionate release, (Doc. No. 16), is **DISMISSED as moot**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: January 14, 2021

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

